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APPLICATION NO. 09/511,011 FILING DATE 05/11/97 FIRST NAMED INVENTOR FASCH M ATTORNEY DOCKET NO. 34-1211

JUN 11 2001
O I P E S C I T
P A T E N T & T R A D E M A R K O F F I C E
FINNEGAN, HENDERSON, FARABOW
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1300 I STREET, N.W.
WASHINGTON DC 20005-3015

HM11/0511

EXAMINER
PAK, M

ART UNIT 1646 PAPER NUMBER 27

05/11/01

DATE MAILED:

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FINNEGAN, HENDERSON,
FARABOW, GARRETT & DUNNER, LLP.

Commissioner of Patents and Trademarks

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 05/15/01 Attorney dam/ham/ml
Case 01142-0122
Due Date 06/11/01 W/EXT
Action RESP/NUCLEOTIDE DUE
By AB

1 MON VWA
5-15-01



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER	
ART UNIT	PAPER NUMBER

27

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Serial No. 08/816,011

1. The reply filed 5 February 2001 (Paper No. 24) is not fully responsive to the communication mailed 3 January 2001 (Paper No. 23) for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Figures 3-5 disclose sequences which are not identified with SEQ ID NO.:

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pak, whose telephone number is (703) 305-7038. The examiner can normally be reached on Monday through Friday from 8:30 AM to 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, can be reached on (703) 308-6564.

Official papers filed by fax should be directed to (703) 308-4242. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Michael D. Pak

Michael Pak
Primary Patent Examiner
Art Unit 1646
20 April 2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Figures 3-5 disclose sequences which are not identified by SEQ ID NO.:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

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